

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		Atty. Docket No. MDS-037 U.S. APPLICATION NO. (If known. see 37 CFR 1.7) <b>10/530741</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/011820	INTERNATIONAL FILING DATE April 16, 2004	PRIORITY DATE CLAIMED April 18, 2003
TITLE OF INVENTION SYSTEMS FOR IDENTIFYING, DISPLAYING, MARKING, AND TREATING SUSPECT REGIONS OF TISSUE		
APPLICANT(S) FOR DO/EO/US FLEWELLING, ROSS F.; GRIFFIN, CHRISTOPHER E.; JIANG, CHUNSHENG; SCHOTT, JEAN-PIERRE; SCHOMACKER, KEVIN T.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) (International Application is in English).</li></ol></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(C)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 To 20 below concern document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment (8 pgs)</li><li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 – 1.825.</li><li>18. <input checked="" type="checkbox"/> A copy of the published international application under 35 U.S.C. 154(d)(4).</li><li>19. <input type="checkbox"/> A second copy of the English language translated of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: (list all other items here)</li></ol>		
A certified copy of U.S. Provisional Patent Application 60/560,384; Statement Concerning Color Drawings (1 pg.); Extra set of drawings (113 sheets - in color).		

10/530741

JC06 Rec'd PCT/PTO 07 APR 2005

21. The following fees are submitted:				<b>CALCULATIONS</b> <span style="float: right;">PTO USE ONLY</span>	
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee ..... \$100.00 <input checked="" type="checkbox"/> d) Size fee (\$250 for each additional 50 sheets over 100 sheets)..... \$250 x 5 = \$1250.00					
<b>ENTER APPROPRIATE FEE AMOUNT =</b>				\$ 1850.00	
Surcharge of \$130.00 for furnishing the oath or declaration of later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	33 - 20 =	13	X \$50.00	\$ 650.00	
Independent claims	3 - 3 =	0	X \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 2500.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1250.00	
<b>SUBTOTAL =</b>				\$ 1250.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1250.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1250.00	
				<b>Amount to be:</b>	\$
				<b>refunded</b>	
				<b>charged</b>	\$

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1700 in the amount of \$1250.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 07-1700.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Patent Administrator  
Goodwin | Procter LLP  
Exchange Place  
Boston, MA 02109  
Customer No. 051414

*William R. Haulbrook*

SIGNATURE

William R. Haulbrook, Ph.D.  
NAME

53,002  
REGISTRATION NUMBER

April 7, 2005  
DATE

Express Mail Mailing Label No. EV630984962US

PATENT  
Attorney Docket No. MDS-037  
(120407158075)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Flewelling *et al.*  
SERIAL NO.: Not yet assigned      GROUP NO.: Not yet assigned  
FILING DATE: Herewith      EXAMINER: Not yet assigned  
TITLE: SYSTEMS FOR IDENTIFYING, DISPLAYING, MARKING, AND  
TREATING SUSPECT REGIONS OF TISSUE

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT CONCERNING COLOR DRAWINGS**

Sir:

The above referenced application is the national stage of International Application PCT/US2004/011820, filed on April 16, 2004. The above-referenced Application submitted herewith includes 113 sheets of drawings. Two sets of drawings were filed in the original International Application – a first set that included color photographs/drawings, and an auxiliary set all in black-and-white. The color photographs/drawings are helpful to the understanding of the invention. Thus, Applicants include a color set of drawings herewith for consideration as part of the above-referenced application, to the extent allowable.

The Applicants intend to file a Petition for Use of Color Photographs and Color Drawings as Formal Drawings Under 37 C.F.R. § 1.84(a)(2) and (b)(2) in the above-referenced case in due course. The undersigned cordially invites the Examiner to call at the number below in the event any questions arise.

Date: April 7, 2005  
Reg. No. 53,002

Tel. No.: (617) 570-1013  
Fax No.: (617) 523-1231

Respectfully submitted,



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